



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

Code Compliance Hearing

Wednesday, January 25, 2017

1:30 PM

City Hall 1300 White Street

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

Call Meeting to Order

Code Violations

1

Case # 16-1390

Marie Delus

Poinciana Park Partners, LLP - Property Owner

1300 15th Court 11

Sec. 14-37 Building Permits; professional plans; display of permits; address; exceptions.

Officer Sophia Doctoche

Certified Service: 12-28-2016 - Marie Delus

Certified Service: 1-9-17 - Poinciana Park Partners, LLP

Initial Hearing: 1-25-2017

In compliance January 20, 2017, request dismissal

Count 1: Failure to apply for an after-the-fact building permit for the construction of a deck.

2**Case # 16-1480**

Billy D Busche
1607 Venetian Drive
Sec. 108-677 Parking and storage of certain vehicles.
Officer Sophia Doctoche
Certified Service:
Initial Hearing: 1-25-2017

Request continuance to February 15, 2017 for service.

Count 1: All vehicles require current tags or to be stored in an enclosed building.

3**Case # 16-1541**

Jean Walner Desire - Tenant
Poinciana Partners, LLP - Property Owner
1300 15th Court Lot 63
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions.
Officer Sophia Doctoche
Certified Service: 12-15-2016 - Property Owner
Certified Service: 12-9-2016 - Tenant
Initial Hearing: 1-25-2017

New Case

Count 1: Porch and back enclosure built without benefit of building permits.

4

Case # 15-1327

Far Niente, LLC

Jack Spottswood, Registered Agent

416 Elizabeth Street

Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions

Sec. 14-40 Permits in historic districts

Officer Peg Corbett

Certified Service: 2-18-2016

Initial Hearing: 3-30-2016

In compliance January 11, 2017, request dismissal

Count 1: A fence in excess of 8' in height was built on the side and rear of the subject property without benefit of a building permit. **Count 2:** A fence in excess of 8' in height was built on the side and rear of the subject property without benefit of a certificate of appropriateness.

Legislative History

3/30/16	Code Compliance Hearing	Continuance
4/27/16	Code Compliance Hearing	Continuance
5/25/16	Code Compliance Hearing	Continuance
6/29/16	Code Compliance Hearing	Continuance
7/27/16	Code Compliance Hearing	Continuance
8/31/16	Code Compliance Hearing	Continuance
9/28/16	Code Compliance Hearing	Continuance
11/16/16	Code Compliance Hearing	Continuance

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Case # 16-336

Kevin & Karen J Craig

620 Thomas Street 288

Sec. 18-601 License required

Sec. 122-1371 Transient living accommodations in residential dwellings;
regulationsSec. 122-1371 Transient living accommodations in residential dwellings;
regulations (d)(8)Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations (d)(9) Count(s) 4-9Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations (d)(9) Count(s) 10-17

Officer Peg Corbett

Certified Service 11-29-2016

Initial Hearing: 12-21-2016

Continued from December 21, 2016.

Count 1: The property was held out and rented on Nov 5 through Nov 13 and Nov 14 through Nov 20, 2016 without benefit of a transient rental business tax receipt. **Count 2:** The subject property is being rented transiently without a city, county or state license. The subject property does not have a medallion and has not had a fire inspection. **Count 3:** The property owner offered and executed a short term rental agreement with the mutual intent of the owner and tenant to sign a 30 day lease while noting that only 7 days of occupancy would be provided and paid for by the tenant. **Counts 4 - 9:** The property owner transiently rented the subject property to Sue Brent for the dates of Nov 14, 2016 through Nov 20, 2016 for \$3,4000 without the benefit of a transient rental license. **Counts 10 - 17:** The property owner originally rented for the dates of Nov 13, 2016 through Nov 20, 2016. Sue Brent was contacted in August by Ms. Craig who stated that the unit would be occupied by another transient rental who wished to stay Sunday the 13th. Ms. Craig issued a check for \$225 to refund Ms. Brent that day. The property does not have a transient rental license.

Legislative History

12/21/16

Code Compliance Hearing

Continuance

6

Case # 16-1129

Key Cove Landing LLC

Christopher Belland - Registered Agent

10 Key Cove Drive

Sec. 18-601 License required - **Repeat Violation**Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations - **Repeat Violation**

Officer Peg Corbett

Certified Service: 8-12-2016

Initial Hearing: 8-31-2016

Continued from December 21, 2016.

Count 1: For holding out/advertising for short term rentals on **VRBO** without a business tax receipt. City reserved the dates of 17 Sept 2016 through 23 Sept 2016 (6 nights) for \$4,035.60. **Count 2:** For holding out/advertising for short term rentals without the requisite state and county licenses, fire inspection and medallion. **Counts 3 - 8: Sec. 122-1371 (d) 9:** For holding out/advertising for short term rentals when it is not permitted. Previous case was 15-249 where Mr. Belland signed a Settlement Agreement.

Legislative History

8/31/16	Code Compliance Hearing	Continuance
10/19/16	Code Compliance Hearing	Continuance
11/16/16	Code Compliance Hearing	Continuance
12/21/16	Code Compliance Hearing	Continuance

7

Case # 16-1130

Key Cove Landing LLC

Christopher Belland - Registered Agent

10 Key Cove Drive

Sec. 18-601 License required - **Repeat Violation**Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations - **Repeat Violation**

Officer Peg Corbett

Certified Service: 8-12-2016

Initial Hearing: 8-31-2016

Continued from December 21, 2016.

Count 1: For holding out/advertising for short term rentals on **www.homeaway.com** without a business tax receipt. City reserved the dates of 17 Sept 2016 through 23 Sept 2016 (6 nights) for \$4,035.60.

Count 2: For holding out/advertising for short term rentals without the requisite state and county licenses, fire inspection and medallion.

Counts 3 - 8: Sec. 122-1371 (d) 9: For holding out/advertising for short term rentals when it is not permitted. Previous case was 15-249 where Mr. Belland signed a Settlement Agreement.

Legislative History

8/31/16	Code Compliance Hearing	Continuance
10/19/16	Code Compliance Hearing	Continuance
11/16/16	Code Compliance Hearing	Continuance
12/21/16	Code Compliance Hearing	Continuance

8

Case # 16-1167

Key Cove Landing LLC

Christopher Belland - Registered Agent

4 Key Cove Drive

Sec. 18-601 License Required - **Repeat Violation**Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations - **Repeat Violation**

Officer Peg Corbett

Certified Service: 8-16-2016

Initial Hearing: 8-31-2016

Continued from December 21, 2016.

Count 1: Being held out/advertised on VRBO for short term rental without the required business tax receipt. City reserved the dates of 17-Sept 2016 through 23 Sept 2016 for \$3,979.35. Mr. Belland was previously cited for the same charge and signed a Settlement Agreement for case number 15-249. **Count 2:** The property is being held out/advertised for short term rental without the requisite city, county and state licensing. The property does not have a transient medallion and has not been inspected by the Fire Department. **Counts 3 - 8: Sec. 122-1371 (d) 9:** The property is being held out/advertised for short term rental for six nights beginning 17 Sept 2016 for \$3,979.35 without the benefit of a transient license.

Legislative History

8/31/16	Code Compliance Hearing	Continuance
10/19/16	Code Compliance Hearing	Continuance
11/16/16	Code Compliance Hearing	Continuance
12/21/16	Code Compliance Hearing	Continuance

9

Case # 16-1169

Key Cove Landings LLC

Christopher Belland - Registered Agent

4 Key Cove Drive

Sec. 18-601 License Required - **Repeat Violation**Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations - **Repeat Violation**

Officer Peg Corbett

Certified Service: 8-16-2016

Initial Hearing: 8-31-2016

Continued from December 21, 2016.

Count 1: Being held out/advertised on www.homeaway.com for short term rental without the required business tax receipt. City reserved the dates of 17- Sept 2016 through 23 Sept 2016 for \$4,016.35. The property is advertised with a four night minimum. Mr. Belland was previously cited for the same charge and signed a Settlement Agreement for case number 15-249. **Count 2:** The property is being held out/advertised for short term rental without the requisite city, county and state licensing. The property does not have a transient medallion and has not been inspected by the Fire Department. **Counts 3 - 8: Sec. 122-1371 (d) 9:** The property is being held out/advertised for short term rental for six nights beginning 17 Sept 2016 for \$4,016.35 without the benefit of a transient license.

Legislative History

8/31/16	Code Compliance Hearing	Continuance
10/19/16	Code Compliance Hearing	Continuance
11/16/16	Code Compliance Hearing	Continuance
12/21/16	Code Compliance Hearing	Continuance

10

Case # 14-1488

Sunrise at Seaside Condo Association

3625 Seaside Drive

FBC. 1612.4 (ASCE 24-05) Floor Hazard Construction

Officer Scott Fraser

Certified Service: 9-15-2015

Initial Hearing: 10-21-2015

Continuance granted to March 29, 2017**Count 1:** Unprotected enclosed structures below design flood elevation.Legislative History

10/21/15	Code Compliance Hearing	Continuance
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7/27/16 Code Compliance Hearing Continuance

11

Case # 16-917

Phillip & Patsy Amsterdam - Property Owner

Mr. Wayne Smith - Registered Agent

512 Caroline Street

Sec. 18-601 License required.

Sec. 90-363 Certificate of occupancy - Required.

Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions.

Officer Leonardo Hernandez

Certified Service: 12-15-2016 - Property Owner

Certified Service: 12-15-2016 - Registered Agent

Initial Hearing: 1-25-2017

Continuance granted to February 15, 2017

Count 1: This business is renting short term at least two illegal units without the required license. There are 8 actual units, one is allegedly employee housing but only 5 are recognized. **Count 2:** Required certificate of occupancy was never procured or issued for 3 units in question. **Count 3:** Required building permits were never procured or issued for the 3 units in question.

12

Case # 16-1028

Phillip & Patsy Amsterdam - Property Owner

Mr. Wayne Smith - Registered Agent

511 Caroline Street

Sec. 18-601 License required.

Sec. 90-363 Certificate of occupancy - Required.

Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions.

Officer Leonardo Hernandez

Certified Service: 12-15-2016 - Property Owner

Certified Service: 12-15-2016 - Registered Agent

Initial Hearing: 1-25-2017

Continuance granted to February 15, 2017

Count 1: This business is renting short term 5 units without the required license. **Count 2:** Required certificate of occupancy was never procured or issued for 5 units in question. **Count 3:** Required building permits were never procured or issued for the 5 units in question.

13

Case # 16-1248

William D Letrick
1801 N Roosevelt Blvd King Fish Pier 39-41
Sec. 14-185 Compartmentation and flotation devices
Officer Leonardo Hernandez
Posted: 9-8-2016
Initial Hearing: 12-21-2016

Continuance granted to February 15, 2017

Count 1: For failure to repair/secure the hull of the floating home that came loose exposing the floor joists and subfloor.

Legislative History

12/21/16 Code Compliance Hearing Continuance

14

Case # 16-1573

Peter Nelson Brawn
1413 South Street
Sec. 26-197 Animals
Officer Leonardo Hernandez
Certified Service: 12-1-2016
Initial Hearing: 12-21-2016

Continued from December 21, 2016.

Count 1: This is the 5th complaint in the past 5 years for barking dogs. Previous cases: 16-107, 15-976, 13-1528 and 12-1337.

Legislative History

12/21/16 Code Compliance Hearing Continuance

15

Case # 16-1226

Peter & Dixie Janker

417 United Street

Sec. 14-40 Permits in historic districts

Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions - **Repeat Violation**Sec. 14-40 Permits in historic districts - **Repeat Violation**

Officer Beau Langford

Certified Service: 9-3-2016

Initial Hearing: 9-28-2016

Continued from November 16, 2016 for compliance.

Count 1: Failure to apply and obtain an after-the-fact HARC Certificate of Appropriateness for painting. **Count 2:** Failure to apply and obtain proper permit for spiral staircase. **Count 3:** Failure to apply and obtain a HARC Certificate of Appropriateness for the spiral staircase.

Legislative History

9/28/16	Code Compliance Hearing	Continuance
10/19/16	Code Compliance Hearing	Continuance
11/16/16	Code Compliance Hearing	Continuance
12/21/16	Code Compliance Hearing	Continuance

16

Case # 16-1587

Circle K Stores, Inc.

Corporation Service Company - Registered Agent

1890 North Roosevelt Boulevard

Sec. 74-32 Discharges to natural outlets

Officer Beau Langford

Certified Service: 12-5-2016

Initial Hearing: 1-25-2017

Settlement Agreement

Count 1: Brown water overflowing and draining into property's storm drains.

17

Case #16-306

Anthony Lazarus & Brenda Lynch
 628 Elizabeth Street
 Sec. 14-37 Building permits; professional plans; display of permits;
 address; exceptions
 Sec. 14-40 Permits in the historic district
 Sec. 14-262 Request for inspection
 Officer Jorge Lopez
 Certified Service: 11-1-2016
 Initial Hearing: 12-21-20126

In compliance January 25, 2017, request dismissal

Count 1: A shed was built without the benefit of a building permit.

Count 2: A shed was built without the benefit of a certificate of appropriateness. **Count 3:** Electricity was added to the shed. Electrical work requires a final inspection.

Legislative History

12/21/16	Code Compliance Hearing	Continuance
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18

Case # 16-727

Whammy Key LLC
 Alfred Phillips - Registered Agent
 903 Duval Street
 Sec. 26-192 Unreasonably excessive noise prohibited
 Officer Jorge Lopez
 Certified Service: 6-30-2016
 Initial Hearing: 7-27-2016

Continued from November 16, 2016

Count 1: Was given warning with a DBC of 86.9 on 6/3/16. Received another complaint, conducted a second reading on 6/25/16 with a DBC of 81.1 and was found in violation.

Legislative History

7/27/16	Code Compliance Hearing	Continuance
8/31/16	Code Compliance Hearing	Continuance
9/28/16	Code Compliance Hearing	Continuance
10/19/16	Code Compliance Hearing	Continuance
11/16/16	Code Compliance Hearing	Continuance

19

Case # 16-939

R R Beason Jr Trust 12/18/2000

1603 Von Phister Street

Sec. 14-37 Building permits; professional plans; display of permit;
address; exception

Officer Jorge Lopez

Certified Service: 10-5-2016

Initial Hearing: 10-19-2016

Continued from December 21, 2016.**Count 1:** For failure to obtain building permits for the interior and exterior renovations.Legislative History

10/19/16	Code Compliance Hearing	Continuance
11/16/16	Code Compliance Hearing	Continuance
12/21/16	Code Compliance Hearing	Continuance

20

Case # 16-1012

C. W. Dement

227 Duval Street

Sec. 14-37 Building permits. professional plans. display of permits;
address; exception

Sec. 14-40 Permits in the historic districts

Officer Jorge Lopez

Certified Service: 9-2-2016

Initial Hearing: 9-28-2016

Continued from December 21, 2016 for compliance.**Count 1:** Failure to obtain building permit or remove the unpermitted structure. **Count 2:** Failure to obtain the required Certificate of Appropriateness or remove the unpermitted structure.Legislative History

9/28/16	Code Compliance Hearing	Continuance
12/21/16	Code Compliance Hearing	Continuance

21

Case # 16-1247

Stuart Kessler
1801 North Roosevelt Boulevard
Sec. 14-185 Compartmentation and flotation devices
Officer Jorge Lopez
Certified Service: 12-28-2016
Initial Hearing: 1-25-2017

New Case

Count 1: Owner of the vessel was notified by the Dock Master that this vessel needs to be repaired and to secure the floating device. As of December 14, 2016, there has been no progress towards compliance.

22

Case # 16-1403

808 Southard Street, LLC
Peter Brawn - Owner
G, B&B-B Registries, LLC - Registered Agent
812 Southard Street
Sec. 26-126 Clearing of property of debris and noxious material required
Sec. 62-31 Maintenance of area between property line and adjacent paved roadway - **Request dismissal of count 2**
Officer Jorge Lopez
Certified Service: 10-20-2016 - Registered Agent
Certified Service: 11-02-2016 - Owner
Initial Hearing: 11-16-2016

Continued from December 21, 2016.

Count 1: Failure to cut overgrown weeds and remove trailer loaded with debris and bulk waste to avoid unsightly and unsanitary conditions.

Count 2: Failure to clean up debris accumulated on the sidewalk.

Legislative History

11/16/16	Code Compliance Hearing	Continuance
12/21/16	Code Compliance Hearing	Continuance

23

Case # 16-1469

Kathryn Jarman

113 Petronia Street

Sec. 6-2 Permit required; application; appeal; fees

Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business

Officer Jorge Lopez

Hand Served: 12-31-2016

Posted: 1-13-2017

Initial Hearing: 12-21-2016

Continued from December 21, 2016.

Count 1: For performing in front of 724 Duval Street without the required permit. **Count 2:** For failure to obtain a business tax receipt prior to performing during the Bahama Village Goombay Festival.

Legislative History

12/21/16 Code Compliance Hearing Continuance

24

Case # 16-1527

Steam Plant Condominium, LLC

Christopher Belland - Registered Agent

Icamco - Registered Agent

281 Trumbo Road

Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions.

Sec. 14-40 Permits in historic districts

Officer Jorge Lopez

Certified Service: 12-13-2016 - Icamco

Certified Service: 12-12-2016 - Christopher Belland

Initial Hearing: 1-25-2017

Continuance granted to February 15, 2017

Count 1: Installation of a fence without the benefit of required permits.

Count 2: Fence installed without benefit of certificate of appropriateness.

25

Case # 16-1603

Upper Keys Property Management

Ilias Agelis - Registered Agent

City of Key West

Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business.

Sec. 18-150 Certificate of competency required.

Officer Jorge Lopez

Certified Service:

Initial Hearing: 1-25-2017

In compliance January 3, 2017, request dismissal

Count 1: A business tax receipt needed for handyman services. **Count 2:** A certificate of competency is required for engaging in business as a licensed contactor.

26

Case # 16-1613

Whammy Key, LLC

Alfred Phillips

903 Duval Street

Sec. 26-192 Unreasonably excessive noise prohibited.

Officer Jorge Lopez

Certified Service: 12-21-2016

Initial Hearing: 1-25-2017

New Case

Count 1: Responding to this complaint, I conducted a sound reading on December 3, 2016. I found this establishment in violation at 85.5 DBC. There is a previous case from June 25, 2016 with 81.1 DBC, case 16-727.

27

Case # 16-1614

Matelus & Marie M. Pierre

1300 15th Court 03

Sec. 90-363 Certificate of occupancy required

Determination and levy of charge.

Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions.Sec. 66-87 Business tax receipt required for all holding themselves out
to be engaged in business.

Officer Jorge Lopez

Certified Service: 12-12-2016

Certified Service: 1-23-2017

Initial Hearing: 1-25-2017

Continuance granted to February 15, 2017**Count 1:** Failure to apply for and obtain a certificate of occupancy.**Count 2:** Failure to pay impact fees related to utilities. **Count 3:**Plumbing and electrical work done without the benefit of the required
building permits and inspections. **Count 4:** The free standing structure
is being rented without the benefit of a business tax receipt.

28

Case # 16-455

Donald R Lynch

820 Carstens Lane

Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions

Sec. 14-40 Permits in historic districts

Officer Kenneth JW Waite

Certified Service: 10-4-2016

Initial Hearing: 10-19-2016

Continued from December 21, 2016.**Count 1:** For failure to obtain a building permit for the enclosure of the
second story porch and plumbing for the shower. **Count 2:** For failure to
obtain a certificate of appropriateness for the enclosure of the second
story porch.**Legislative History**

10/19/16	Code Compliance Hearing	Continuance
11/16/16	Code Compliance Hearing	Continuance
12/21/16	Code Compliance Hearing	Continuance

29

Case # 16-667

Daniel J. Dingeman

6 Sunset Key Drive

Sec. 122-990(6)(b) Dimensional requirements

Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions.

Sec. 14-327 Inspection.

Officer Kenneth JW Waite

Certified Service: 12-12-2016

Initial Hearing: 1-25-2017

New Case

Count 1: Failure to obtain an after-the-fact permit or an after-the-fact variance as the location of pool pump to the dividing fence is 8 inches and the required minimum setback is 2.5 feet. **Count 2:** Failure to apply for permits to relocate the pool pump. **Count 3:** Failure to obtain a mechanical inspection for the pool pump from the City of Key West Building Department.

30

Case # 16-861

Interstate Enterprises Group, Inc.
 901 White Street 903
 Sec. 14-37 Building permits; professional plans; display of permits;
 address; exceptions
 Sec. 14-262 Request for inspection
 Sec. 90-363 Certificate of occupancy - required - **Request dismissal**
 Sec. 58-61 Determination and levy charge - **Request dismissal**
 Sec. 66-87 Business tax receipt required for all holding themselves out
 to be engaged in business - **Request dismissal**
 Officer Kenneth JW Waite
 Certified Service: 9-15-2016
 Initial Hearing: 10-19-2016

Continued from December 21, 2016 for compliance.

Count 1: For failure to obtain a building permit for the pool house which
 contain windows. Original permit was for a shed only without windows.
Count 2: For failure to obtain an electrical permit/inspection for the
 window air conditioner that was installed in the pool house. **Count 3:**
 For failure to obtain a certificate of occupancy. Pool house is being
 advertised as a rental unit. **Count 4:** The pool house does not have the
 required utility accounts or legal unit determination. **Count 5:** For failure
 to obtain a business tax receipt to rent the pool house.

Legislative History

10/19/16	Code Compliance Hearing	Continuance
12/21/16	Code Compliance Hearing	Continuance

31

Case # 16-1523

KDA Group Inc.
 D'Or 24K KW
 Elidor Oz
 291 Front Street
 Sec. 18-705 Requirements of permit holder
 Officer Kenneth JW Waite
 Hand Served: 11-4-2016
 Initial Hearing: 12-21-2016

Continuance granted to February 15, 2017

Repeat Violation

Count 1: For failure to supply the customer a pre-written statement prior
 to applying lotion.

Legislative History

12/21/16 Code Compliance Hearing Continuance

32

Case # 16-1593

Ronald Kaisen

1211 Catherine Street

Sec. 18-601 License required

Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations. - Count 2 and Counts 3 through 9

Officer Kenneth JW Waite

Posted: 1-11-2017

Initial Hearing: 1-25-2017

Settlement Agreement

Count 1: The subject property was being held out/advertised on AIRBNB.com for transient rental for the period of 22 October 2016 - 29 October 2016 for a total of \$4876.75 without the required transient rental license. This is a repeat violation reference case numbers 12-0016, 15-0203, 16-0793, 16-0942. **Count 2:** The subject property has not provided the required city, county, and state licensing. The subject property does not have transient medallion and has not been inspected by City of Key West Fire Department. **Counts 3 through 9:** A rental agreement was secured for the subject property from the tenant at 1211 Catherine St for 22 October 2016 - 29 October 2016. The rental agreement was executed by Key West Properties of PA d for a total of \$4,876.75.

33

Case # 16-1595

Scott Zurbrigen - Owner

Sean Seckel - Owner

Caroline V. Zurbrigen - Owner

1224 Florida Street

Sec. 18-601 License required

Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations. Count 2 and Counts 3 through 9

Officer Kenneth JW Waite

Certified Service: 12-20-2016 - Scott Zurbrigen

Initial Hearing: 1-25-2016

In compliance January 17, 2017, request dismissal.

Count 1: The subject property was being held out/advertised on AIRBNB.com for the period of 11 December 2016 through 18 December 2016 for a total of \$2,927.00 without the benefit of a transient rental license. This is a repeat violation reference case number 12-0904.

Count 2: The subject property is holding out/advertising for short term rental without the benefit of required city, county and state licensing.

The subject property does not have transient medallion and has not been inspected by City of Key West Fire Department. **Counts 3**

through 9: The subject property is holding out for the dates of 11 December 2016 through 18 December 2016 for transient rental for a total of \$2,927.00.

34

Case # 16-1597

Charles B. Hoffman

1420 Whalton Street

Sec. 18-601 License required.

Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations. Count 2 and Counts 3 through 10

Officer Kenneth JW Waite

Certified Service: 12-3-2016

Initial Hearing: 1-25-2017

Repeat Violation

Count 1: The subject property being held out/advertised on AIRBNB.com for transient rental for the period of 22 November 2016 through 30 November 2016 without the benefit of a transient rental license for a total of \$1,295.00. This is a repeat violation reference case numbers 16-0219, 16-0574, 16-0976, 16-0977, 16-0978. **Count 2:** The subject property is being held out without benefit of required city, county and state licensing. The subject property does not have transient medallion and has not been inspected by the City of Key West Fire Department. **Counts 3 through 10:** The subject property owner is holding out for transient rental from 22 November 2016 through 30 November 2016 for eight nights for a total of \$1,295.00.

35

Case # 16-1644

Ronald Baecker

1111 Watson Street A

Sec. 18-601 License required.

Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations. Count 2 and Counts 3 through 9

Officer Kenneth JW Waite

Certified Service: 12-16-2016

Initial Hearing: 1-25-2016

Continuance granted to February 15, 2017

Count 1: The subject property being held out/advertised on AIRBNB.com from 2 May 2016 through 9 May 2016 for a total of \$1,548.00 without the benefit a transient rental license. **Count 2:** The subject property is being rented transiently without the benefit of city, county, and state license. The subject property does not have a transient medallion and has not been inspected by the City of Key West Fire Department. **Counts 3 - 9:** The subject property owner is holding out for transient rental for 7 nights the dates of 2 May 2016 through 9 May 2016 for a total of \$1,548.00.

36

Case # 16-1650

The Oaks Key West, LLC

Eric Dickstein

Ronit S. Berdugo Dickstein

328 Julia Street

Sec. 18-601 License required.

Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations. Count 2 and Counts 3 through 16

Officer Kenneth JW Waite

Certified Service: 12-17-2016

Initial Hearing: 1-25-2017

In compliance January 9, 2017, request Finding of Violation without fees or fines.**Count 1:** The subject property is being held out/adversied on AIRBNB.com from 21 November 2016 through 28 November 2016 for a total of \$3,402.00 without the benefit of a transient rental license.**Count 2:** The subject property is holding out/advertising for short term rental without the benefit of the required city, county, and state licensing.The subject property does not have a transient medallion and has not been inspected by the City of Key West Fire Department. **Counts 3 -****16:** The subject property owner is holding out for transient rental for 14 nights 23 December 2017 for a total of 2,304.00.

37

Case # 16-1661

Kimberly K. Byrd-Rider

609 Margaret Street

Sec. 18-601 License required.

Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations. Count 2 and Counts 3 - 9

Officer Kenneth JW Waite

Certified Service: 12-19-2016

Initial Hearing: 1-25-2017

In compliance January 4, 2017, request Finding of Violation without fees or fines

Count 1: The subject property advertised on AIRBNB.com on 14 December 2016 for short term rental without the benefit of of a transient rental license. **Count 2:** The subject property is holding out/advertising transiently without a city, county or state license. This subject property does not have a transient rental medallion and has not been inspected by the City of Key West Fire Department. **Counts 3 - 9:** The subject property is being held out/advertised for short term rental for seven nights beginning 1 March 2017 for \$7,008.00 without the benefit of a transient rental license.

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Case # 16-1236

Whammy Key, LLC
Alfred Phillips - Registered Agent
903 Duval Street
Sec. 14-37 Building permits, display
Sec. 14-40 Permits in the Historic District
Sec. 122-750 (6) Dimensional HRCC-3
Sec. 110-256 (5)(i) Tree abuse
Officer Jim Young
Certified Service: 11-09-2016 - Registered Agent
Initial Hearing: 11-16-2016

Continued from December 21, 2016 for compliance.

Count 1: Failure to obtain after-the-fact Building permits or obtain a demolition permit and remove the stage as the stage has been built in the side setback. **Count 2:** Failure to obtain HARC Certificate of Appropriateness or obtain a demolition permit and remove the stage as the stage has been built in the side setback. **Count 3:** Failure to obtain after-the-fact Building permits or obtain a demolition permit and remove the stage as the stage has been built in the side setback. **Count 4:** Failure to un-attach the stage from the tree as it is nailed to the tree with a two by four.

Legislative History

11/16/16 Code Compliance Hearing Continuance

Liens

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Case # 16-1609

Charles W Brockunier
1100 Simonton Street
Sec. 42-1 Offenses under state law (c) (1)
Certified Service:
Initial Hearing: 12-21-2016

Request dismissal

Adjournment